

THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

ERIC C. PEARCE
29 Amble Road
Chelmsford, Massachusetts

Plaintiff,

v.

KEITH BAUMM
9 Lincoln Street
East Boothbay, Maine AND
ADVANCED COMPOSITE
ENGINEERING D/B/A
AEGIS BICYCLES
44 Elm Street
Camden, Maine

Defendant,

CIVIL ACTION NO.:
1:05-cv-11694

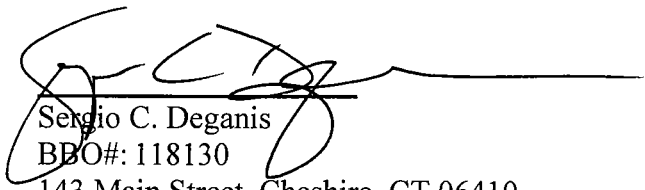
JURY TRIAL DEMANDED

JUNE 12, 2006

MOTION FOR ENLARGEMENT

Pursuant to Federal Rules of Civil Procedure 6(b), the undersigned plaintiff hereby moves for an enlargement of time of thirty (30) days to present the Court with proof of service on the above named defendants. An affidavit of good cause is attached hereto in support of this motion.

Respectfully submitted:
THE PLAINTIFF,
Eric C. Pearce,
By his attorneys,
Ouellette, Deganis & Gallagher, LLC


Sergio C. Deganis
BBO#: 118130
143 Main Street, Cheshire, CT 06410
(203) 272-1157
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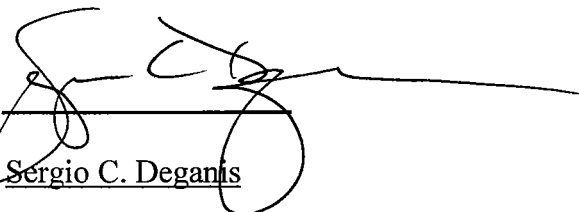
AFFIDAVIT OF GOOD CAUSE

I, Sergio C. Deganis, having been duly sworn, depose and say and hereby attest to the following facts:

- 1: I believe in the obligation of an oath;
- 2: I am of legal age, over 18;
- 3: On August 26, 2005 I mailed a notice of lawsuit and request for waiver of service of summons to Keith Baumm.
- 4: On August 26, 2005 I mailed a notice of lawsuit and request for waiver of service of summons to Brent R. Slater, Registered Agent for Advanced Composite Engineering.
- 5: On or about September 15, 2005, I received a letter from James D. Poliquin, attorney for Mr. Baumm, indicating that Mr. Baumm would accept service by mail in the above captioned matter.

6. To date, I have not received a signed waiver of service of summons from Keith Baumm or Brent R. Slater, although the same have been requested as previously stated.
7. On April 10, 2006 two copies of the summons and complaint in this matter was delivered to Peter Bradian at On Time Process Service to effectuate service on Keith Baumm and Brent R. Slater.
8. On May 31, 2006, following numerous unreturned telephone calls and e-mails, the undersigned learned that Peter Bradian is no longer employed by On Time Process Service, and that On Time Process Service has no record of our requested service on Keith Baumm or Brent R. Slater.
9. On June 1, 2006, the undersigned sent duplicated summonses to the United States District Court, District of Massachussets to be recertified.
10. More time is needed for the undersigned to obtain the requisite proof of service on Keith Baumm and Brent R. Slater.

Dated at Cheshire, Connecticut, this 12th day of June, 2006

Signed: 

Name: Sergio C. Deganis

The foregoing Affidavit was acknowledged before me this 12th day of June, 2006

State of Connecticut

County of New Haven


Notary Public/~~Commissioner of~~
~~Superior Court~~

PATRICIA MALIS
NOTARY PUBLIC
MY COMMISSION EXPIRES JUNE 30, 2008

CERTIFICATION

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants on June 12, 2006. I further certify that pursuant to local rule 7.1(a) I have contacted Attorney Poliquin regarding this matter and he has no objection to the granting of this motion.

By: 

Sergio C. Deganis

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